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ABSTRACT

Presented is the report of the Committee on Labor and Public Welfare about Senate Bill 896 (1973) to amend the Education of the Handicapped Act, Title VI of the Elementary and Secondary Education Act. Preliminary information includes the primary purpose (to extend the provisions of the Act for 3 years), the need for legislation, a review of the hearings, and a review of the original Act's background. Programs under the Education of the Handicapped Act are summarized under the following headings: title, the Bureau of Education for the Handicapped, the National Advisory Committee on Handicapped Children, the state grant program, amendment to the state plan provision (stressing early identification of handicapped children), centers and services to meet special needs of the handicapped (such as regional resource centers and deaf blind centers), training personnel for the education of the handicapped, research on the education of the handicapped, instructional media for the handicapped, special programs for children with specific learning disabilities, the veterans-cost-of-instruction amendment, and impact and payments for school districts experiencing decreases or cessation of federal activities. A section-by-section analysis points out amendments (such as yearly increases in grant authorizations to the states) and charts cost estimates for 1972 through 1976. Also included are a report from the Department of Health, Education, and Welfare on the department's position supporting or opposing specific sections of the bill. Finally, the entire Education of the Handicapped Act is printed. (DB)

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REPORT
No. 93-238

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EDUCATION OF THE HANDICAPPED AMENDMENTS OF
1973

June 21 (legislative day, June 18), 1973.—Ordered to be printed

Mr. RANDOLPH, from the Committee on Labor and Public Welfare, submitted the following

REPORT

[To accompany S. 896]

The Committee on Labor and Public Welfare, to which was referred the bill (S. 896) to amend the Education of the Handicapped Act, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill (as amended) do pass.

PURPOSE

The purpose of S. 896 is to extend the provisions of the Education of the Handicapped Act (Public Law 91-230) for three years beginning July 1, 1973.

It is the committee's intent to insure the continued targeting of funds and resources to the handicapped and continued program coordination by the enactment of this legislation. There are times when the government does not follow through adequately on promising ideas and programs which it starts. The three-year re-authorization in this bill will help provide the steadfast Federal commitment needed to continue the program.

NEED FOR LEGISLATION

There are 7 million (1 million of preschool age) deaf, blind, retarded, speech-impaired, motor-impaired, emotionally disturbed, or other health-impaired children in the United States who require special education programs. Although these children represent approximately 10% of the school age population (a conservative estimate) and although the number of children receiving special help has grown from 2.1 million to nearly 3 million in the past 5 years, current data indicates that less than 40% are receiving an adequate education.

It is the committee's belief that good education programs are an investment rather than merely an expenditure of funds, for even the most severely handicapped child can be made less dependent through education. It costs taxpayers about \$250,000 to support a totally dependent person over his lifetime in an institution. Given the opportunity, these children can become self-sufficient, productive members of society, rather than remaining dependent on society. Therefore, from both a humanitarian and an economic standpoint, it is obvious that an adequate education must be made available now for all handicapped children.

The inability of the states to provide for more than 40% of these handicapped children and the higher cost of education for the severely handicapped places a critical responsibility on the Federal government to share costs with states and local communities and be the catalytic agent which stimulates activity for the handicapped. The committee feels a strong responsibility to see that these individuals receive the educational services they need, and it is satisfied that the Bureau of Education for the Handicapped is the agency which should help provide and coordinate these services. Every handicapped child has a right to an education, and legislation which provides specific research funds, support of graduate training programs, demonstrations, exemplary projects, and grants-in-aid to the states to develop their own priorities in improving educational services to handicapped children is vitally important.

HEARINGS

On March 20, 21 and 23, 1973, the Subcommittee on the Handicapped of the Committee on Labor and Public Welfare held hearings on S. 896, the "Education of the Handicapped Amendments of 1973."

More than 45 witnesses testified in support of S. 896. Many professional organizations were represented. Among those testifying were the National Association for Autistic Children; the National Federation of the Blind; the American Foundation of the Blind; the Council for Exceptional Children; the National Center on Media and Materials; the United Cerebral Palsy Association; the National Recreation and Park Association; the National Advisory Committee on Education of the Handicapped; the National Association for Retarded Children; the American Occupational Therapy Association; the American Speech and Hearing Association; and the Council on Education of the Deaf.

BACKGROUND

In 1966, the Congress added a new title VI to the Elementary and Secondary Education Act in Public Law 89-750. Organizations and parents having a special interest in handicapped children had found that the Federal government was doing very little to assist in the education of such children. Further, programs which could provide special education services were scattered throughout the Office of Education, thereby dissipating their effectiveness.

Title VI was enacted for several reasons: (1) to consolidate these programs; (2) to assist the states in initiating, expanding, and improving education programs designed specifically to serve handicapped children; (3) to establish a National Advisory Council on Handicapped

Children which would advise the Commissioner of Education, the Secretary of Health, Education, and Welfare, and the Congress on the educational needs of handicapped children; and (4) to create a Bureau of Education for the Handicapped to administer special education programs.

The 1970 amendments to the Elementary and Secondary Education Act, P.L. 91-230, signed on April 13, 1970, repealed title VI, E.S.E.A. as of July 1, 1971, and created a separate act, the Education of the Handicapped Act. In the four years from 1966 to 1970, the Congress had become increasingly aware of educational needs of handicapped children and had authorized special programs for the deaf-blind, special preschool programs, regional resource centers, and a National Media Center for the Handicapped. It was the Committee's judgment that these programs, plus authorizations for research, teacher training, and physical education teacher training for the mentally retarded and other handicapped children, should be consolidated for the purposes of consistent codification. Therefore, the 1970 amendments to the Elementary and Secondary Education Act superseded the Handicapped Children's Early Education Assistance Act (P.L. 89-10); Grants for Teaching in the Education of Handicapped Children (P.L. 85-926); titles III and V of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164); and Instructional Media for Handicapped Children (P.L. 85-905).

The 1970 Education of the Handicapped Act was divided into 7 parts:

Part A (General Provisions) set forth the title of the bill, the definitions, provided for the Bureau of Education for the Handicapped and the National Advisory Committee on Handicapped Children, and provided for the acquisition of equipment and the construction of necessary facilities.

Part B authorized grants to the states and outlying areas to assist them in initiating, expanding, and improving programs for the education of handicapped children.

Part C authorized grants for regional resource centers, centers for deaf-blind children, experimental preschool and early education programs, and any research, innovation, training and dissemination activities in connection with these centers.

Part D authorized grants to institutions of higher education to assist in recruiting and training special education personnel, as well as physical education personnel.

Part E authorized grants and contracts to support research and demonstration projects related to both education and physical education.

Part F authorized the National Center on Educational Media and Materials for the Handicapped to provide for the Bureau of Education for the Handicapped a centralized agency to coordinate the communication system between various aspects of a comprehensive media and materials development and delivery system for making instructional media and technology available to all programs in education for the handicapped.

Part G authorized special programs for children with specific learning disabilities.

Summary of Programs Under the Education of the Handicapped Act

Section 1.—Title

Section 2. The Bureau of Education for the Handicapped

S. 896 reaffirms the belief of this committee, first expressed in 1967, that there must be a separate Bureau of Education for the Handicapped in the Office of Education, if handicapped children are to receive sensitive and responsive treatment by the Federal government. The history of educational programming for handicapped children had shown a need for strong leadership and this role has generally been left to parents and legislative bodies. To supplement their efforts, the Congress, in the Elementary and Secondary Education Act Amendments of 1966, required the Department of Health, Education and Welfare to establish the Bureau for Education for the Handicapped. At that time, a Bureau was the highest administrative unit within the Office of Education and the Director of the Bureau, an Associate Commissioner of Education, reported directly to the Commissioner. In addition, as the Bureau was established, Directors of each Division and the Deputy Associate Commissioner for the Bureau were all scheduled to have super-grade rank, GS-16 or above.

The record of leadership of the Bureau of Education for the Handicapped has been well documented before this Committee. Its impact has been felt not only on the field of special education in supporting the development of innovative approaches and of additional services to children, but also on the programs of other agencies, specifically the Social and Rehabilitation Service, the National Institute of Mental Health, and the Headstart program of the Office of Child Development. During the life of the Bureau a hundred additional colleges and universities have begun training programs for teachers, and more than a million children have been added to the nation's special education rolls. Educational placement for deaf-blind children has expanded from 100 children in school programs to approximately 2,000 children now receiving an education. Preschool and Early Childhood programs have begun in every state, and many states are now mandating the provision of such services to handicapped children. At the same time, the record is not all positive; the job is only half completed. Only 41% of handicapped children are receiving appropriate education in the United States, and parents are increasingly having to turn to the Judicial Branch to assure that their children receive equal treatment under the law.

Since 1968, there has been a gradual erosion of the strength of the Bureau of Education for the Handicapped resulting in part from an unfortunate tendency on the part of the Office of Education to develop additional levels of overhead personnel and to centralize authority in these staff or overhead positions. This tendency to place responsibility in the hands of a few politically oriented people has been a major cause of the Office's continuing problems with this committee over proper administration of the law as written. In addition, personnel freezes

and other changes in hiring policy have reduced the number of top level leadership positions available to the Bureau, until at present there is only one super grade position among the entire 110 person staff. No other major unit in the Office of Education is so restricted.

The committee reaffirms its belief that there must be a strong identifiable administrative organization within the Office of Education, if these unserved 4 million handicapped children are to receive the education they deserve and if Federal programs are to be coordinated rather than isolated. The committee expresses concern about the reduction in the status of the Bureau and therefore mandates in this legislation that the Director of the Bureau report directly to the Commissioner of Education.

In establishing the direct reporting relationship between the Associate Commissioner for Education of the Handicapped and the Commissioner of Education, the Committee expects the Commissioner to consult directly with the Associate Commissioner in policy, planning, and budget and other management activities related to education of the handicapped. The committee farther expects the Commissioner to provide to the Associate Commissioner sufficient and appropriate staff within the Bureau of Education for the Handicapped for conducting and participating in these policy, planning, budgeting and related activities.

In addition, the committee authorizes four GS-16 positions which would bring the Bureau back to the 1968 level of leadership strength. Further, the Committee notes that despite specific report language in the Senate Report (S. Rept. 89-1674) accompanying the legislation establishing the Bureau, all programs for handicapped children administered by the Office of Education have not been transferred to the Bureau of Education for the Handicapped. The Committee expects that all programs within HEW's Education Division which deal with education of the handicapped, including educational services to children, training of personnel, and research, technology, demonstration and dissemination activities will be operated by the Bureau of Education for the Handicapped.

Section 3. National Advisory Committee on Handicapped Children

The Commissioner shall continue in the Office of Education the National Advisory Committee on Handicapped Children, consisting of 15 members appointed by the Commissioner. At least eight of such members shall be persons affiliated with educational, training or research programs for the handicapped. The committee expects that the Commissioner will appoint eight members who have made a substantial professional contribution in the area of the education of handicapped children. In addition the committee also expects that the remaining seven members will be individuals who are actively engaged in fields related to the education of handicapped, such as health, psychology, etc; are parents of handicapped children; or are themselves handicapped.

Section 4. State Grant Program

The States estimate that there are 7 million children (1 million of preschool age) handicapped by mental retardation, speech problems, emotional disorders, deafness, blindness, crippling conditions, or other health impairments that will cause school failure, emotional problems, and retarded development unless special educational pro-

cedures are available to them. Presently only 41 percent of school-age handicapped children are receiving special education and in some states less than 25 percent of such children are receiving this help. Approximately one million of these unserved children are totally excluded from any educational programming.

Funds under this program have worked to assist States through non-matching formula grants to initiate, expand, and improve pre-school, elementary, and secondary educational and related services to handicapped children.

The Federal strategy for the development of this program has been to serve as a catalyst to local and State program growth, rather than providing full Federal support for a limited number of children. Joint planning with the States has led to increased programming for children on a comprehensive basis, involving various Federal programs and local resources, e.g., Elementary and Secondary Education, Titles I and III, Vocational Education, etc.

Tables I and II show the amount of money going to the States under this section and the numbers of handicapped children served during 1967-1973.

TABLE 1.—STATE GRANT PROGRAM (PART B)

(In thousands of dollars)

	Fiscal year—						
	1967	1968	1969	1970	1971	1972	1973
Authorizations	50,000	150,000	167,375	200,000	200,000	210,000	220,000
DHEW budget request	2,500	15,000	32,000	29,250	31,900	35,000	37,500
Appropriated	2,500	15,000	29,250	29,190	34,000	37,500	

TABLE 2.—NUMBER OF CHILDREN SERVED

(In thousands of dollars)

	Fiscal year—						
	1967	1968	1969	1970	1971	1972	1973
Served by program.....		53,738	115,035	150,000	180,000	215,000	215,000
Total served, United States.....		2,138,956	2,251,653	2,447,229	2,642,804	2,857,555	3,160,000

The steady growth in numbers of children receiving educational services attests to the effectiveness of this Federal catalytic effort. In 1972 alone, new educational opportunities for 215,000 children were reported by States. This came about largely through the provision, by the Bureau of Education for the Handicapped of the Office of Education, for developmental and technical assistance to twenty-five States in designing new programs, coordinating Federal and State funding, and developing strategies for increasing services to handicapped children.

In 1973, States continued to use program funds to provide a catalytic basis for further State and local program support. At present, failure to identify handicapped children represents a major barrier to fulfillment of state programs. For example, New Jersey law provides that local education agencies must offer special programs to handicapped children, but the lack of identification programs is a major factor in keeping the percentage of children served at less than the 50% level.

To further the objective of assisting States in the delivery of comprehensive services to all handicapped children, the Education Commission of the States, comprised of State governors, legislators, education officials and public citizens, during 1972 and 1973, has been working to stimulate programming for handicapped children through the establishment of a task force on handicapped children within their organization. This task force has held regional meetings and is working to develop specific State-by-State plans for additional special education programs and will continue to work within State governments and legislatures toward this end.

The continuation of this section of Education of the Handicapped Act (EHA) is integral to the achievement of the Federal goal of realizing equal educational opportunity for handicapped children. The unique Federal-State relationship developed by the creative administration of this program has done much for handicapped children.

Section 5. Amendment to State Plan Provision

As a result of hearings which were held in Washington on S. 996 and S. 6, and regional hearings held in Newark, N.J., Boston, Mass., and Columbia, S.C. on S. 6, the committee is convinced that a more intense effort must be expended in the identification of handicapped children. Parents testifying at these hearings, whether or not they had been successful in locating services for their children, were unanimous in their view that they had almost always been left to themselves to find needed services for their children. In this regard, most of these parents were able to find services or able to have their children properly identified as handicapped only as a result of great individual efforts on their own behalf. It was clear that appropriate governmental agencies were in the past either unwilling or unable to undertake these responsibilities on behalf of handicapped children.

While the committee fully understands the pressure on State and local education budgets, as well as the many problems involved in establishing and maintaining a full range of services for handicapped children, the continued refusal or inability of our education system to seek out and identify handicapped children despite existing financial constraints is a clear denial of rights to handicapped children and their parents. While the State plan provisions under part B of the Education of the Handicapped Act require that programs and projects assisted under this part must meet the need for special education throughout the State receiving such assistance, the committee believes that specific and reliable data is necessary if States are to plan for the provision of adequate educational services and reach the goal of providing all handicapped children with appropriate services.

As a result of these findings, the committee has adopted amendments to the State plan provision contained in sections 4 and 5 of the present law to:

1. Establish as a goal of Federal aid under part B of the act the provision of full educational opportunity for all handicapped children, and
2. Require that the State set forth a detailed plan of the policies and procedures it will undertake in order to assure that all handicapped children residing within the State are identified, located and evaluated, as well as to assure that the State has established a goal of providing full training and educational opportunities for all handicapped children

together with a timetable for accomplishing this goal and a description of additional facilities, personnel, and services necessary throughout the State in order to meet such goal.

The plan outlining the policies and procedures contemplated under these new provisions is to be submitted to the Commissioner of Education for his approval by December 31, 1974 and shall be considered to be amendments to the State Plan. The State must be in compliance with these amendments after June 30, 1975. Failure to submit such an amendment to the State plan shall result in the withholding of funds under part B by the Commissioner after June 30, 1975. It is the committee's view that the time period outlined in this provision will give the States adequate time to review current procedures as well as to plan for new procedures for the identification of all handicapped children within the State. The committee wishes to emphasize that this should insure that all children who are handicapped can be identified no matter where they reside within the State, whether they are currently institutionalized in State or private facilities or whether they are currently receiving the benefit of any other educational services or training. Such procedures should also allow the State to ascertain what additional services these children may need.

While it is necessary, for purposes of planning, for States to have proper data as to the location of such children within the State, the nature of their disability, and projection of special education services which will be needed for each individual child, the committee also believes that efforts must be made to protect the privacy of such children and their families. Therefore, the committee has specifically provided that the Commissioner of Education shall establish criteria for the confidentiality of any information collected by the State pursuant to this new State planning requirement. The data which are collected by the State pursuant to these new requirements should be collected in such a form as to distinguish between children who are currently receiving full and appropriate educational services, children who are receiving some but not all necessary services, and children without the benefit of any services.

In addition it is the committee's view that the procedures established by the State pursuant to the new requirement should assure periodic reevaluation of the diagnosis made of handicapped children to assess whatever changes may be needed in educational programming for each individual child.

The committee also expects that the States will set forth procedures and plans to establish a target date for full training and educational services for all handicapped children, and will provide a detailed analysis and timetable with a view of accomplishing this objective. It is important to note that 41 States currently have enacted legislation mandating the provision of special educational services to all handicapped children. Therefore, the committee's amendments should be an added incentive to the States to establish a plan for identification and implementation of full training and educational services for all handicapped children in order to enable those States to move with dispatch toward fulfilling their own goals in this respect.

The committee was concerned that in order to fulfill these new planning requirements, additional funds would be needed by the States for purposes of developing a plan for the necessary policies

and procedures. It has been estimated that the costs herein involved would range from \$50,000 for a small State to approximately \$100,000 for the larger States. Therefore, the committee has taken action in order to assure that this requirement would pose no diversion of existing program funds under part B. In summary, this action would (1) require that individual States receive at least as much part B funds as they had received in fiscal 1973 and that the total amount allocated to all the States and outlying areas under part B be at least \$45 million; (2) increase the minimum allotment to a State under part B from \$200,000 to \$300,000; (3) increase the maximum allowable funds for administration and planning from \$100,000 to \$200,000; and (4) insure that the minimum allotment and increased ceiling for administrative and planning expenses would be effective only after the Congress appropriated, and States have been allotted, \$45 million or more for part B of this act.

While it is the committee's intent to encourage the States to formulate plans for the provision of training and educational service for handicapped children, the committee recognizes that educational services cannot be provided in a vacuum. Therefore, the committee expects that the States in formulating these policies and procedures will require that the State education officials call together individuals who are experts in the area of higher education, early childhood education, health services, rehabilitation services, psychological services, and other related programs which have responsibilities for the provision of care and services to handicapped children and adults. In this way, the committee feels that the objectives contemplated by these new provisions can be met in the best possible way.

Section 6. Centers and Services to Meet Special Needs of the Handicapped

Regional Resource Centers.—This program offers support for the development and operation of regional centers to assist teachers and administrators of programs for handicapped children in bringing relevant and effective educational services to all handicapped populations through grants to institutions of higher education, state education agencies, or combinations of these parties with local education agencies. The Centers in cooperation with State and local programs and other federally supported activities develop, demonstrate, and promote adequate diagnostic and prescriptive services; improved and expanded teaching techniques; and provide a range of fiscal, human, and nonhuman resources to assure that schools can respond more effectively to the more seriously handicapped population who are often hidden, unidentified, and untreated.

The centers funded by this program began full scale work in conjunction with state education agencies in ten States. Program operation in the six centers has moved to meet the growing demand for diagnostic and prescriptive services for these children.

Continued expansion of support for this program, as shown in Table 3, below, has focused on the need to develop quality comprehensive educational services for all handicapped children. The program has been stressing the education of inadequately served children in existing special education programs and those handicapped who are in regular classrooms.

TABLE 3.—AUTHORIZATION—PART C

[In thousands of dollars]

	1968	1969	1970	1971	1972	1973
Authorized.....	7,500	7,750	10,000	*36,500	*51,500	*66,500
DHEW budget request.....		2,000	2,000	3,550	3,550	7,243
Appropriated.....		500	3,000	3,550	3,550	

* Authorization for Part C include a combination of funds for Regional Resource Centers, Deaf-Blind Centers and Early Childhood Education.

For the future, the overriding concern of the centers will be to improve the effectiveness of ongoing practices to serve the handicapped and to develop new techniques where none have existed. Under the continuing regional resource center program, seven centers will be supported. The major objective for this program is to assure that all geographical areas are covered by the Regional Resource Centers program and have access, either directly or through cooperative services, to these resources. Concerted planning activities by the National Center for Media and Materials, designed to coordinate the Instructional Materials Centers and the Regional Media Centers, will help to create this national coverage.

With current funds, approximately 40,000 handicapped children will receive comprehensive services from the centers. Approximately 200 state education agency and 6,000 local education agency personnel will be provided training through workshops, special study institutes, and technical assistance activities. Two thousand severely and multiply handicapped children will receive services in addition to the 40,000 children mentioned above.

Early Identification.—Discussions by a number of Members of Congress with interested parents and other organizations emphasized to the Committee the failure to provide for proper identification of handicapped children. The Committee's investigations suggest that a major failure in the provision of services to handicapped children is that their educational problems and characteristics are not consistently identified at an early age, and further, that many State and local educational systems are not developing the capacity to identify handicapped children. At least in part, this is so because the identification of such children will create additional pressure for educational services.

The Committee is aware that the Regional Resource Center program is a major demonstration program of the Education of the Handicapped Act charged with developing procedures for the identification and diagnosis, in educational terms, of handicapped children. We would like to encourage these Centers in the priority activity of working with the States to develop comprehensive identification and diagnostic programs for preschool and school age children and we suggest that this activity be closely coordinated with the State activities supported under Part B of the Act, as well as with model programs for children with specific learning disabilities. Children with learning disabilities are most frequently found in a school population rather than in a non-school situation, but their subtle and discreet educational problems are frequently not recognized. It is the Committee's

feeling that the present authorities under the Education of the Handicapped Act are sufficient for stimulating the development of appropriate methods of identification of children with specific learning disabilities as well as those with other handicapping conditions, but the Committee believes that greater emphasis in this area is necessary.

Deaf-Blind Centers.—The Congress saw fit to provide grants or contracts to public and/or private non-profit agencies/organizations to operate centers and establish services for the estimated 4,500 deaf-blind children, including specialized intensive services to enable them to achieve their full potential for communication and adjustment for useful and meaningful participation in society.

Without the availability of Federal support, the 4,500 deaf-blind children born in our nation as a result of the 1964-65 rubella epidemic would have little hope of receiving the complex educational and other services they require. Now, through the establishment of 10 regional centers for these children, and the marshaling of Federal, state, local and private resources, coverage has increased from 100 children to more than 2,000. A national goal of full services for each of these children and their families is drawing within reach.

Tables 4 and 5 below show the Federal dollars and number of deaf-blind children receiving program services.

TABLE 4.—PART C
[In thousands of dollars]

	1967	1968	1969	1970	1971	1972	1973
Authorization		1,000	3,000	2,000	*36,500	*51,500	*66,500
DHEW budget request			1,050	2,000	2,500	5,000	10,000
Appropriated			1,000	4,000	4,500	7,500	

* Authorizations for Part C include a combination of funds for Regional Resource Centers, Deaf-Blind Centers, and Early Childhood Education.

TABLE 5.—NUMBER OF CHILDREN SERVED
[In thousands]

	1969	1970	1971	1972	1973
Children receiving full-time services day and residential	415	650	952	1,271	2,103
Children receiving short-term services	0	60	144	431	442
Children receiving diagnostic and evaluation services	161	425	533	642	979
Parent counseling	400	800	1,800	2,400	3,000

The 10 Regional Deaf-Blind Centers located throughout the United States coordinate resources and services for approximately 1,700 deaf-blind children in those regions. The centers served as the focal point for coalescing private, State and local medical, social, and educational programs into a more effective and efficient delivery of services to deaf-blind children and their families. These centers have contracted for services with existing agencies to provide more than 100 programs and projects. Among this group of children, 952 were enrolled in full-time educational settings supported by deaf-blind Federal funds: 287 are enrolled in day-school programs, and 665 in residential-school programs. Diagnostic, counseling and tutorial educational programs were offered to 533 of the above deaf-blind children

and their families. Federal funds accounted for approximately 90 percent of the support for these programs.

The comprehensive services made possible under this program have the potential to make the difference between a life of total dependency, typically in an institution for the mentally retarded, and one which allows for a meaningful participation in society. The catastrophic situation of the deaf-blind child is one which demands the fullest commitment of the Federal government; the States alone would be unable to mobilize the huge resources necessary to meet this goal.

Early Childhood Education.—Federal legislation has resulted in the development of many model programs for preschool handicapped children. Since 1968, when the Handicapped Children's Early Education Act was enacted, 70 models serving approximately 4,000 children and their parents have been established. Each State has at least one such demonstration project. The wisdom of the law in requiring that these projects function to stimulate States to use their own resources for implementing additional projects for these children has been borne out. Three years ago only 15 States had legislation providing for the education of handicapped children of preschool age. During the past 3 years, there has been a significant increase in the States making available early education programs for these children. Presently, 45 States have legal authority to provide such programs for 5-year-olds or younger. During the past school year, 5 States passed similar comprehensive mandatory legislation. In addition to States with new comprehensive laws, others have reduced age requirements, with the State of North Carolina making available special education from birth.

The value of these early education programs is underscored not only by giving a good start and helping prevent these children from developing secondary problems, but also by enhancing their ability to enter the educational mainstream. Early figures indicate that handicapped preschoolers in the programs throughout the country frequently are able to enter a regular classroom and "make it" with special education support. Last year, for example, 492 children who had participated in model early education projects were admitted to other programs which previously had *refused* to accept them.

Tables 7 and 8 show the dollar amounts and number of children served by the 70 model projects.

TABLE 7.—PART C
[In thousands of dollars]

	1969	1970	1971	1972	1973
Authorization.....	1,000	10,000	*36,500	*51,500	*66,500
DHEW budget request.....	945	3,000	4,000	7,500	12,000
Appropriation.....	945	4,000	7,000	7,500	

* Authorizations for Part C include a combination of funds for regional resource centers, Deaf-Blind Centers, and Early Childhood Education.

TABLE 8.—NUMBER CHILDREN
[In thousands]

	1970	1971	1972	1973
Children served directly.....	2,095	4,000	5,000	5,000

By the end of 1973 we expect the enrollment of handicapped children in preschool programs to increase by 75,000 to bring the total estimated number of children in such programs to over 175,000. Strategies for achieving this relied heavily upon the catalytic and multiplier effects of Federal programs, upon mutual planning with State Education Agencies, and the development of State programs. Model projects have provided direct services to 5,500 children and their families. The expected stimulation of 300 additional early childhood programs in special education, including early identification, will bring this to a total of 700 programs which will serve 45,000 children and their families, utilizing other than federal funds.

Section 7. Training Personnel for the Education of the Handicapped

Special Education Manpower Development.—Federal support for education for teachers of the handicapped has been a major factor in this increase in special education programs. The number of colleges and universities training these teachers has multiplied since the beginning of Federal funding a decade ago. There are now about 400 colleges and universities offering such training, some 300 of which are receiving Federal support. There is good reason to believe that the increase in Federal investment from \$2.5 million in fiscal year 1962 to \$34.6 million in fiscal year 1972 is directly related to the increase in numbers of special education teachers. That number has grown from 70,000 in 1962 to the current 1972 figure of 162,887. It is estimated that double that number of special educators are needed if the 7 million handicapped children are to be educated.

The Teacher Education program provides for the training of personnel in the various fields of education for handicapped children, such as teachers, teacher educators, researchers, speech correctionists, and other special service personnel. The Physical Education and Recreation training program provides for grants to prepare physical education and recreation teachers, teacher educators, supervisors, and researchers in physical education and recreation for the handicapped.

Project grants are made to State education agencies and institutions of higher education to assist them in developing and improving training programs for educational personnel for the handicapped.

Tables 10 and 11 show the authorizations for special education and physical education personnel training. Table 12 shows the number of personnel trained.

TABLE 10.—AUTHORIZATION FOR TRAINING PROGRAMS (PART D)

	[In millions of dollars]						
	1967	1968	1969	1970	1971	1972	1973
Authorized.....	29,500	34,000	37,500	55,000	69,500	87,000	103,500
DHEW budget request.....	24,500	24,500	30,000	29,700	30,900	33,945	36,960
Appropriated.....	24,500	24,500	29,700	35,000	31,900	33,945	

TABLE 11.—PHYSICAL EDUCATION AND RECREATION TRAINING

	[In millions of dollars]					
	1968	1969	1970	1971	1972	1973
Authorization.....	1,000	2,000	3,000	(*)	(*)	(*)
DHEW budget request.....		300	300	700	700	700
Appropriation.....		300	610	700	700	

* Authorizations are part of those for training programs.

TABLE 12.—NUMBER OF PERSONNEL TRAINED

[In thousands]

	1967	1968	1969	1970	1971	1972	1973
Supported full time.....	342	4,660	5,306	4,799	4,597	4,767	4,767
Summer short term.....	7,799	7,315	9,110	11,154	14,577	14,500	14,500
Indirectly (estimated).....	3,078	41,940	47,727	43,191	41,373	42,903	42,903

Status of funding of junior/community colleges division of training programs.—The committee has been concerned with the minimum amount of funds being spent for training in community colleges.

We have received the following information regarding the current status of funding for training programs in community/junior colleges. Prior to the definition of "institutions of higher education" in the Elementary and Secondary Education Act (P.L. 92-230) which now includes community colleges, the Division of Training Programs was unable to fund junior or community colleges for training teachers of handicapped children. There are currently in the process of being developed additional programs in these schools. As the first step toward a movement to begin supporting on a paraprofessional level and/or in junior and community colleges, the Bureau of Education for the Handicapped has funded a "state of the arts" study in the area of the training of paraprofessional personnel in the education of the handicapped through New York University. Concurrently, they have awarded grants to programs representing three differing models for the training of paraprofessionals and aides. In one instance, they are funding a two-year, associate degree program for teachers of the trainable mentally retarded at a four year university—the University of Maine. In another case, they have awarded a grant to the University of Illinois to develop a two year college curriculum in therapeutic recreation, in conjunction with three community colleges in Illinois. The third model that has been funded is for the development, at a community college, of a one or two year option program leading to an Associate of Arts Degree, and to the possible continuation of study at a four year university. This program is located at Santa Fe Community College in Gainesville, Florida.

All of the above programs have been funded under the Special Projects category. At the current time, there are additional proposals from Junior and/or Community colleges which are being reviewed by the Bureau of Education for the Handicapped in the Office of Education. The committee is pleased that these efforts have been undertaken and expects that they will continue and expand.

Recruitment and Information.—In 1967 when the Bureau of Education for the Handicapped was created, an Office of Education survey showed that only a small percentage of the school-aged handicapped children in this country were receiving appropriate educational services. In response to this, Congress was asked for program authority to recruit new special educators and to keep parents informed of both the availability and need for services. Congress granted that authority (now P.L. 91-230, The Education of the Handicapped Act, Part D) in 1969. Table 13 shows the funding situation for this effort.

TABLE 13 (PART D)
[In thousands of dollars]

	1968	1969	1970	1971	1972	1973
Authorization.....	\$1,000,000	\$1,000,000	\$1,080,000			
DHEW budget request.....		1,000,000	500,000	\$500,000	\$500,000	\$500,000
Appropriation.....		250,600	475,000	500,000	500,000	

The multi-media campaign segment of this program resulted in at least 125,000 requests for information during the 1970-72 period. Each of these received individualized responses from the companion Special Education Information Center, which had surveyed and amassed directories of available special education services throughout the nation. In addition, the volunteer parent advisory board initiated a parent newsletter to share information and generate supportive activities. An independently operated and supported D.C. information center exists to serve handicapped children in the Washington metropolitan area. This program has lent a helping hand to guide and lighten the burden of the parents of these special children.

Section 8. Research on the Education of the Handicapped

To improve educational opportunities for handicapped children, it was and is necessary to support applied research and related activities. This provides the information and resources essential to the development of full educational opportunity for every handicapped child. These activities are integrated in a planned pattern and support teacher training and the special services functions of the total Federal program for handicapped children. The Physical Education and Recreation research program provides support for research and related purposes relative to the needs and performance of handicapped children in the area of physical education and recreation.

State education agencies, local education agencies, colleges and universities, and private and public non-profit agencies are the beneficiaries of these awards.

Table 14 provides dollar amounts expended on this program.

TABLE 14—PART E
[In thousands of dollars]

	1967	1968	1969	1970	1971	1972	1973
Authorization.....	9,000	12,000	14,000	18,000	27,000	35,500	45,000
DHEW budget request.....	8,100	11,100	13,900	14,050	14,150	15,455	9,566
Appropriation.....	0,100	11,100	12,860	16,000	15,000	15,455	

PHYSICAL EDUCATION AND RECREATION RESEARCH

Authorization.....	1,000	1,500	1,500				
DHEW Budget request.....		300	300	300	300	300	350
Appropriation.....		300	700	300	300	300	

In the early childhood education area support will be provided for research and development activities related to the delivery of services in preschool education, and developing and validating curriculum for handicapped preschool children. Support in the important area of

career education will be for analysis of prevocational preparation in special education programs, assessment of vocational programming for the handicapped, and assessment of postsecondary programs. In the "full-school services for all handicapped children" area, tasks to be supported are development of curriculum, methods, and materials related to education of handicapped children; identification of an evaluation of advances in educational technology which show promise of minimizing the educational problems of handicapped children; and the study of appropriate models for delivery of special education services. Attention must be given to the activities concerning the national interest in continuing education programs for the adult deaf. Such are the activities which must be continued and inter-woven with the overall Federal effort to assist in bringing about educational services for all handicapped children and youth.

Section 9. Instructional Media for the Handicapped

Captioned Films and Educational Media.—The Media Services and Captioned Films program responds to the need of handicapped pupils and their teachers for educational media, materials and technology to make possible effective education. The program also makes available to handicapped persons a portion of the entertainment and educational films, video, tape, records, etc. that are available to the general public. The program is also concerned with the development and implementation of systems to assure that such materials become available for classroom use.

State education agencies, local education agencies, colleges and universities, private, and public nonprofit agencies are eligible for awards. Table 14 below shows the resources available to the program since 1967.

TABLE 14—PART F
[in thousands of dollars]

	1967	1968	1969	1970	1971	1972	1973
Authorized.....	3,000	8,000	8,000	10,000	12,500	15,000	20,000
HEW budget request.....	2,800	2,800	4,750	4,750	6,000	6,000	13,000
Appropriated.....	2,800	2,800	4,750	6,500	6,000	6,000	

The education media distribution center continues to search for new and less expensive methods of delivering services to schools and classes for deaf children and the adult deaf population. The consolidation of three captioned film libraries into one covered the cost of booking films and increased the rapidity of turnover of films for wider audience viewing. The total audience in 1973 numbered more than 2.75 million. Plans to supply films and other educational media on a no-cost basis to a minimum of 1,000 teachers of handicapped children other than deaf are now being implemented. The committee recommends that the distribution center be made an important component of the National Center for Media and Materials for the Handicapped.

The Special Education communications network continues to develop the mechanisms to bring all handicapped children the resources they need, where and when they need them. Approximately three million have been served. The number of computer based research units reached approximately 500,000 units utilized by 75,000 teachers. The demonstration and research program supported 14

media-related projects in the area of child centered learning technology. There were a number of activities in the captioned TV area, such as captioning and broadcasting of 26 French Chef programs over PBS; captioning and broadcasting of the 1973 Presidential inaugural address; and development of a decoder for making captioned television feasible.

This program, too, emphasizes the five major objectives for education of the handicapped: In early childhood, continuing support of media development and validation projects for early education programs; in manpower development, pursuing expansion, cataloging, packaging, and dissemination of teacher media training materials; in career education, continuing work on the development of applications of technology to vocational education for the handicapped; and in captioned films for the deaf, supporting the enhancement through entertainment and cultural aspects of handicapped peoples' lives provided by films, as well as captioned television experimental work in conjunction with the National Science Foundation and the television industry, this program has been bringing to these doubly disadvantaged people the full benefits of the modern technology of communication.

National Center on Educational Media and Materials for the Handicapped.—Of importance and primary interest to the committee is the centralization of activities and information on programs, research and technology supported by the Bureau of Education for the Handicapped. The committee is pleased that the Bureau after long and careful consideration has established the National Center on Educational Media and Materials for the Handicapped. The Center was awarded to the Ohio State University on June 1, 1972, and the committee expects that the Bureau of Education for the Handicapped will expedite the mandate of the Congress which was expressed by Chairmen Pell and Perkins of the authorizing committees in the Senate and House in P.L. 91-61. They directed that the National Center on Educational Media and Materials for Handicapped provide a means for the development of specialized curricula, media and methods to be used in the education of handicapped children and youth. At the Center people will be trained in the development of these materials. It shall also serve as a clearinghouse for all of the research that has been undertaken to benefit handicapped children. Teachers all over the country will be able to obtain information from the Center in order to increase their own resources. Most importantly it shall serve as a coordinating center for all of the activities in the program of Instructional Media for the Handicapped in the Office of Education. To this end the committee directs the Bureau of Education for the Handicapped to begin at once to fulfill the mandate as expressed in the legislative history of P.L. 91-61.

Section 10. Special Programs for Children with Specific Learning Disabilities

An estimated 1 to 3 percent of our school age population are afflicted with specific learning disabilities. Without help these children inevitably have difficulty or fail miserably. Model demonstration service centers aimed at stimulating State-wide plans for meeting the educational requirements of these children were established in 23 States, through grants to state education agencies under Part G, States

are being helped to begin or proceed with the task of identifying, diagnosing, and prescribing special education services for these children.

In 1973, expansion to an additional 17 states will bring the total number of states receiving awards to 40. Approximately 8,500 children have received some form of direct educational services. An additional 58,000 children have received educational benefits through the impact of teacher training, curriculum development, and other products of this program.

Table 15 shows the successive dollar amounts for this program since its inception.

TABLE 15—PART G
[In thousands of dollars]

	1970	1971	1972	1973
Authorization.....	12,000	20,000	31,000	31,000
DHEW budget request.....			1,500	3,250
Appropriation.....		1,000	2,250	

Maintaining the momentum of this program is necessary if each State is to participate. Participation will assure a model service center which can be copied with non-federal funds, so that each learning disabled child may have appropriate educational services, beginning with appropriate identification and diagnosis.

Section 11. Veterans Cost of Instruction Amendment

Section 11 of the reported bill amends paragraph (1) of section 420(a) of the Higher Education Act of 1965, as amended—the Veterans-Cost-of-Instruction (VCI)—provision by adding an alternative prerequisite to institutional eligibility based on numbers of GI bill trainee enrollees. The law presently requires that a school, to be eligible for a VCI grant, must have increased the number of its GI bill trainees (including veterans receiving vocational rehabilitation under chapter 31 of title 38, United States Code, and those receiving educational assistance under chapter 34 of that title) by 10 percent over the previous academic year. Under the amendment, a school could also become eligible if at least 10 percent of its current undergraduate student body is composed of such GI bill trainees.

The new 10 percent requirement in the amendment would still impose a substantial requirement on an individual institution since the national average GI bill trainee enrollment for universities, colleges, and community colleges is 8.7 percent. Preliminary figures indicate that this new clause will alleviate the inadvertent inequity of the present 10-percent-GI-bill-trainee-increase requirement for a number of schools which have already made impressive achievements in enrolling returning veterans.

Subsection (b) of this amendment provides that the amendment made by subsection (a) (of the amendment) becomes effective on the date of enactment of the bill and becomes effective with respect to all appropriations then available for obligation under section 420.

It should be noted that the amendment makes no change whatsoever in the remainder of the VCI provisions and requirements. That is, mere numbers of GI bill trainees would still not be enough to

qualify for a VET grant; under the law, a school must also establish and carry out significant special veterans programs, including a veterans affairs office, a veterans tutorial program, a veterans prep or college preparatory program, and a veterans work study outreach program. These requirements would not be affected by the amendment.

A sample of schools in areas with about 25 percent of the Nation's population shows that of 1,296 schools surveyed, only 299, or 23 percent, increased their GI bill trainee enrollment in March 1973 by 10 percent over March 1972; 997 schools, or 76 percent, did not meet the 10 percent requirement, although of this 997, 134, or 13.4 percent, did show some increase in GI bill trainee enrollment.

Section 12. Impact and Payments for School Districts Experiencing Decreases or Cessation of Federal Activities

Recent announcements of intentions by the Department of Defense to cut back on military installations in the United States constitute a concern on the part of the committee for school districts which have been receiving payments under the program of school assistance in federally affected areas (Public Law 874). Many school districts have been serving federally connected children associated with military installations and have made preparations for continuing to serve those children over the next few years.

The cessation of activities in these military installations will result in a substantial decline in the number of children counted for the purposes of the impact aid program without compensating for the effort on the part of the local educational agencies to prepare for serving federally connected children or for the continued education of children who heretofore have been counted for the purposes of impact aid.

The committee found that the provisions in present law for the phase-out of impact aid payments lack certainty and contain no long-range provisions which protect the interests of affected local educational agencies. Therefore, the committee adopted language which provides for an orderly decrease in the amount of payments under the impact aid program to local educational agencies which experience decreases in the number of federally connected children as the result of a decrease in or cessation of Federal activities in military installations.

Section 12 provides that local educational agencies qualify for the extended period of phaseout under two circumstances: The first circumstance is that if a local educational agency experiences a decrease in the number of federally-connected children during either fiscal year 1974 or fiscal year 1975, which amounts to 10 percent or more of its federally-connected children, then it qualifies. The second circumstance is that if such a decrease occurs during the 2-year period beginning July 1, 1973, it qualifies. Further, in order to be eligible, the decrease experienced must be the result of cessation of or decrease in Federal activities as the result of actions affecting military installations in the United States announced after April 16, 1973.

The amount to which qualified local educational agencies are entitled under the amendment for any fiscal year shall be not less than 90 percent of the amount to which that agency was entitled during the preceding fiscal year.

SECTION-BY-SECTION ANALYSIS

Section 2 of S. 896 amends section 603 of the Education of the Handicapped Act and adds four new leadership positions at the Bureau of Education for the Handicapped. These four positions will be for persons to assist the associate commissioner in carrying out his duties.

Section 3 amends section 604(b) of the EHA by continuing the advisory committee until July 1, 1976, and authorizing \$100,000 for fiscal year 1974 and for each of the two succeeding fiscal years.

Section 4 amends section 611(a) of the EHA by ensuring that all handicapped children have available to them full educational opportunity. It further amends subsection (b) of section 611 by making grant authorizations to the States of \$65 million for fiscal year 1974; \$80 million for fiscal year 1975; and \$100 million for fiscal year 1976.

Section 5 amends section 613 of the EHA by adding a new section (b)(1) which requires each State to set forth a plan of the procedures it will use to identify, locate and evaluate every handicapped child in that State; to submit that plan to the Commissioner of Education for approval by December 31, 1974; to consider any amendment to the State plan a required portion of the State plan after June 30, 1975; and to establish policies and procedures to protect the confidentiality of data and information collected by the State.

Section 612(a) is amended to provide that no State shall expend funds for doing the plan required in subsection (b)(1) unless that State receives an amount greater than the amount allotted to that State in fiscal year 1973.

In order to carry out the intent of the amendment to section 612(a) the committee also amends section 612(a)(2) of the EHA by raising the minimum each State may receive from Part B funds by \$100,000—from \$200,000 to \$300,000.

Section 613(a)(1) is amended to increase the maximum allowable funds for administration and planning from \$100,000 to \$200,000.

Finally, there is a provision that section 5 of S. 896 will not be effective unless the aggregate of the amounts allotted to the States in fiscal year 1974 is \$45 million or more.

Section 6 amends section 626 of the EHA by authorizing \$12 million for Deaf/Blind Centers and Services, \$15 million for Early Childhood Education, and \$10 million for Regional Resource Centers for fiscal year 1974; \$16 million for Deaf/Blind Centers and Services, \$25 million for Early Childhood Education, and \$12 million for Regional Resource Centers for fiscal year 1975; and \$20 million for Deaf/Blind Centers and Services, \$35 million for Early Childhood Education, and \$15 million for Regional Resource Centers for fiscal year 1976.

Section 7 amends section 636 of the EHA by authorizing \$500,000 for recruitment and information and \$40 million for manpower and personnel training for fiscal year 1974; \$500,000 for recruitment and information and \$45 million for manpower and personnel training for fiscal year 1975; and \$500,000 for recruitment and information and \$50 million for manpower and personnel training for fiscal year 1976.

Section 8 amends section 644 of the EHA by authorizing \$10 million for FY 1974; \$14 million for fiscal year 1975; and \$18 million for FY 1976.

Section 9 amends section 652(b) of EHA by adding "(either directly or by grants and contracts)" after "authorized".

It also amends section 654 of EHA by authorizing \$15 million for fiscal year 1974; \$18 million for fiscal year 1975; and \$22 million for fiscal year 1976.

Section 10 amends section 661(c) of EHA by authorizing \$5 million for fiscal year 1974; \$7,500,000 for fiscal year 1975; and \$15 million for fiscal year 1976.

Section 11 amends paragraph (1) of section 420(a) of the Higher Education Act of 1965, as amended, by allowing an institution to be eligible for funds if 10 percent of its current undergraduate body is composed of GI bill trainees.

Section 12 provides that local educational agencies qualify for a phaseout of impact aid over a 5-year period if: (a) the local educational agencies experience a 10-percent decrease in the number of federally connected children during either fiscal year 1974 or fiscal year 1975, or (b) if such a decrease occurs in the 2-year period beginning July 1, 1973, and if these decreases are due to a cessation or decrease of activities announced after April 16, 1973. The amount to be received by such agencies in any fiscal year shall not be less than 90 percent of what the agency was entitled to in the preceding fiscal year.

Cost Estimates Pursuant to Section 252 of the Legislative Reorganization Act of 1970

COST ESTIMATE—SECTIONS 1-10

BUREAU OF EDUCATION FOR THE HANDICAPPED AUTHORIZATIONS, BUDGET REQUESTS, APPROPRIATIONS

[In millions of dollars]

Activity	Fiscal year—				
	1972	1973	1974	1975	1976
Pt. B—Preschool and school programs:					
Authorization	210,000	220,000	65,000	80,000	100,000
Budget request	35,000	37,500			
Appropriation	37,500	37,500			
Pt. C—Early childhood education:					
Authorization	151,500	166,500	15,000	25,000	35,000
Budget request	7,500	12,000	12,000		
Appropriation	7,500	12,000			
Deaf-blind centers:					
Authorization			12,000	16,000	20,000
Budget request	5,000	10,000	10,000		
Appropriation	7,500	10,000			
Regional resource centers:					
Authorization			10,000	12,000	15,000
Budget request	3,550	7,243			
Appropriation	3,550	7,243			
Pt. D—Teacher education:					
Authorization	187,000	1103,500	140,000	145,000	150,000
Budget request	33,945	36,960	37,700		
Appropriation	33,945	38,960			
Physical education and recreation training:					
Authorization					
Budget request	700	700			
Appropriation	700	700			
Recruitment and information:					
Authorization			500	500	500
Budget request	500	500			
Appropriation	500	500			

See footnotes at end of table p. 23.

COST ESTIMATE—SECTIONS 1-10—Continued

BUREAU OF EDUCATION FOR THE HANDICAPPED AUTHORIZATIONS BUDGET
REQUESTS APPROPRIATIONS—Continued

[In millions of dollars]

Activity	Fiscal year—				
	1972	1973	1974	1975	1976
Pt. E—Research and demonstrations:					
Authorization.....	\$ 35,500	\$ 45,000	\$ 10,000	\$ 14,000	\$ 11,000
Budget request.....	15,455	9,566			
Appropriation.....	15,455	9,566			
Physical education and recreation research:					
Authorization.....					
Budget request.....	300	350			
Appropriation.....	300	350			
Pt. F—National Center on Educational Media and Materials for the Handicapped, media services and captioned films:					
Authorization.....	15,000	20,000	15,000	18,000	22,000
Budget request.....	6,000	13,000	13,000		
Appropriation.....	6,000	13,000			
Pt. G—Specific learning disabilities:					
Authorization.....	31,000	31,000	5,000	7,500	15,000
Budget request.....	1,500	3,250	3,250		
Appropriation.....	2,250	2,750			
Advisory committees.....			100	100	100
Total:					
Authorization.....	430,000	486,000	150,000	218,100	275,600
Budget request.....	109,450	131,069			
Appropriation.....	115,200	132,569			

1 Authorizations for part C include those of Early Childhood Education, Deaf-blind Centers and Regional Resource Centers.

2 Authorizations include those of physical education, recreation and teacher training.

3 Authorizations include special education and physical education research.

Cost Estimate—Sec. 11

Veterans' cost of instruction:

Fiscal year 1973.....	11.45
Fiscal year 1974.....	11.45
Fiscal year 1975.....	
Fiscal year 1976.....	
Fiscal year 1977.....	
Fiscal year 1978.....	

COST ESTIMATE—SECTION 12

Since existing law enables the Commissioner of Education, at his discretion, to provide phaseout payments of up to 100 percent of a local educational agency's entitlement under the impact aid program, the amendment adopted by the Committee does not provide for an obligation for any fiscal year ending prior to July 1, 1976 in excess of that which is obligable under existing law. For fiscal years 1977 and 1978, it is possible that the amendment adopted by the committee contains authorized obligation authority in excess of that which is in present law. However, the amount of that authorized obligation authority is speculative, if any, and cannot be estimated until the degree to which decreases in and cessations of Federal activities are known. Such decreases and cessations cannot be estimated until June 30, 1975.

Tabulation of Votes Cast in Committee

Pursuant to section 133(b) of the Legislative Reorganization Act of 1946, as amended, the following tabulation of votes in committee:

Motion by Mr. Javits to limit to 2 years the original Pell amendment to continue impact aid payments for school districts experiencing decreases in, or cessation of, Federal activities. Rejected: 2 yeas, 9 nays.

Yeas—2

Mr. Javits
Mr. Stafford

Nays—9

Mr. Williams
Mr. Randolph
Mr. Pell
Mr. Kennedy
Mr. Nelson

Mr. Cranston
Mr. Hughes
Mr. Hathaway
Mr. Schweiker

The bill was ordered reported by unanimous voice vote.

DEPARTMENTAL REPORT

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,

Washington, D.C., April 2, 1973.

HON. HARRISON A. WILLIAMS, JR.,

*Chairman, Committee on Labor and Public Welfare, U.S. Senate,
Washington, D.C.*

DEAR MR. CHAIRMAN: This letter is in response to your request for a report on S. 896, S. 6, and S. 808. Though these bills all deal with the education of the handicapped, each bill serves a very distinct and separate purpose. S. 896 proposes "to amend the Education of the Handicapped Act and for other purposes". S. 6 is a bill "to provide financial assistance to the States for improved educational services for handicapped children." S. 808 is a bill "to authorize the Commissioner of Education to undertake a program to screen elementary school children in order to identify children with specific learning disabilities."

S. 896 would require that the Bureau of Education for the Handicapped be headed by an Associate Commissioner of Education who would be appointed by, and report directly to, the Commissioner and be compensated at the rate specified for a grade 17. The bill further provides that there be four GS-16 level positions for persons to assist the Associate Commissioner.

The bill (S. 896) parts B, C, D, E, and G, for 3 years, until July 1, 1976. Extension of these parts would authorize funds for Assistance to States for Education of Handicapped Children, Centers and Services to Meet Special Needs of the Handicapped, Training Personnel for the Education of the Handicapped, Research in the Education of the Handicapped, the Special Programs for Children With Specific Learning Disabilities. Part F, Instructional Media for the Handicapped, has an indefinite authorization. The bill provides an increase of over 28 percent in authorization for fiscal year 1974 over the amount authorized for fiscal year 1973.

S. 6 authorizes the Commissioner of Education to assist States in providing a free, appropriate public education for handicapped children at the preschool, elementary, and secondary school levels, and authorizes such sums as may be necessary to be appropriated for fiscal years 1974-77.

S. 6 provides that each State is entitled to an amount equal to 75% of the "excess cost" of the education of handicapped children as opposed to the cost of educating other children. Funds so allocated shall be used by the State to initiate, expand, and improve educational services for handicapped children in conformance with a State plan. The bill specifies certain requirements each State must meet in order to be eligible for assistance under S. 6, including the provision that each local education agency in the State will maintain an individualized, written program for each handicapped child, to be reviewed annually and agreed upon jointly by the local educational agency, parents or guardians, and the child when appropriate. Any State meeting the requirements may submit to the Commissioner an application which must contain a plan for expenditure of the funds it requests. S. 6 requires the Commissioner to annually submit a detailed evaluation of the program to Congress, along with his recommendations for changes in the provisions of this act.

S. 808 directs the Commissioner to conduct, either directly or indirectly through a State education agency, a program under which local educational agencies administer a screening program for elementary school children, prior to their entrance into the third grade, in order to identify children with specific learning disabilities. S. 808 directs the Commissioner to develop an appropriate screening device designed to identify children with specific learning disabilities. This screening device is to be approved by the Commissioner and administered to the children no later than December 1, 1973 and December 1, 1974. The bill authorizes the appropriation of \$100,000 for fiscal year 1974, \$15,000,000 for fiscal year 1975 and \$16,000,000 for fiscal year 1976.

The Commissioner is instructed to prepare and submit to the President and the Congress a complete report on the administration of the screening program together with such recommendations as he deems appropriate no later than June 30, 1974 and again no later than June 30, 1975.

S. 896, in its extension of part B of the Education of the Handicapped Act, S. 6, and S. 808 duplicate authority contained in the administration's Better Schools Act of 1973. The Better Schools Act permits substantial funds in the areas of Handicapped Education and Supporting Services and Materials to be used for the activities authorized by these bills at the discretion of the States. Federal sums have served in the past to provide States with commitment and direction in the field of handicapped education and have served as valuable seed monies to initiate research and innovation in these areas. In addition, any new categorical programs of these types are inconsistent with the Administration's policy of placing greater control of Federal resources in the hands of State and local citizens.

In S. 896 we oppose the specification by law of position, title, grade level, and administrative structure, on the grounds that it is poor administrative policy to mandate the organization of an agency below the highest administrative level. We also oppose the bill's 3-year extension of parts C, D, E, and G. We are currently considering alternative funding mechanisms to achieve the objectives of these parts and are asking for a one year extension of parts C, D, E, and G, while these alternatives are under study.

In addition to its duplication of authority already proposed by the administration, we are opposed to S. 6 on the grounds that its estimated annual cost of \$1.7 billion represents an unrealistic amount of new money and would only create further unfulfilled expectations among the target group to be served.

For the above reasons we recommend against favorable consideration of S. 896, S. 6, and S. 808, and instead recommend enactment of the administration's "Education of the Handicapped Amendments of 1973."

We are advised by the Office of Management and Budget that there is no objection to the presentation of this report and that enactment of the "Education of the Handicapped Amendments of 1973" would be consistent with the objectives of the administration.

Sincerely,

CASPAR W. WEINBERGER,
Secretary.

The following statement was submitted with Secretary Weinberger's letter.

SUMMARY OF DEPARTMENT OF HEALTH, EDUCATION, AND
WELFARE POSITION ON S. 896

S. 896 (Randolph) provides for a 3-year extension of the Education of the Handicapped Act at significantly higher spending levels. In addition, S. 896 legislates a grade 17 Associate Commissioner of Education to head the Bureau of Education for the Handicapped and four grade 16 assistants—all in addition to existing OE positions.

The administration believes that formula grant funds for operational programs relating to the education of the handicapped should be included in a special earmark for this purpose within the education revenue sharing package. The Better Schools Act proposes to fold together funds now appropriated for the education of handicapped students under the following: The State grant program (part B) of the Education of the Handicapped Act; the program for handicapped children in State institutions authorized by title I, ESEA; the set-aside for the handicapped in title III, ESEA; and the set-aside for the handicapped provided under the Vocational Education Act.

The discretionary programs authorized by the Education of the Handicapped Act have made possible valuable progress in research innovation, dissemination and model replication. The Administration supports a 1-year extension of these authorities (see attached bill).

We recommend against a longer period of extension because other improvements are currently under study and these alternatives may prove to be more efficient and productive methods of resource allocation.

The administration also opposes increasing the present authorization levels which are already larger than any realistic projection of actual funding projections.

In addition to the parts concerning extensions and funding levels, we oppose the provision in S. 896 calling for the Associate Commissioner for the Handicapped to report directly to the Commissioner and mandating certain GS-17 and GS-16 level positions in the Bureau. We do not think that mandating administrative structure best serves the interests of efficient management. Further the Associate Commissioner is already a GS-17.

Changes in Existing Law

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows (existing law in which no change is proposed is shown in roman; existing law proposed to be omitted is enclosed in black brackets; new matter is shown in *italic*):

TITLE VI—ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

(EDUCATION AMENDMENTS OF 1970—PUBLIC LAW 91-230)

TITLE VI—EDUCATION OF THE HANDICAPPED

PART A—GENERAL PROVISIONS

SHORT TITLE

SEC. 601. This title may be cited as the "Education of the Handicapped Act".

* * * * *

BUREAU FOR EDUCATION AND TRAINING OF THE HANDICAPPED

SEC. 603 (a) There shall be, within the Office of Education, a bureau for the education and training of the handicapped which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training.

(b)(1) *The bureau established under subsection (a) shall be headed by an Associate Commissioner of Education who shall be appointed by the Commissioner and who shall report directly to the Commissioner, be compensated at the rate specified for, and placed in, grade 17 of the General Schedule set forth in section 5332 of title 5, United States Code.*

(2) *In addition to such Associate Commissioner, there shall be placed in such bureau four positions for persons to assist the Associate Commissioner in carrying out his duties, and such positions shall be placed in grade 16 of the General Schedule set forth in section 5332 of title 5, United States Code.*

NATIONAL ADVISORY COMMITTEE ON HANDICAPPED CHILDREN

SEC. 604. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of fifteen members, appointed by the Commissioner. At least eight of such members shall be persons affiliated with educational, training, or research programs for the handicapped.

(b) The Advisory Committee shall review the administration and operation of the programs authorized by this title and other provisions of law administered by the Commissioner with respect to handicapped children, including their effect in improving the educational attainment of such children, and make recommendations for the improvement of such administration and operation with respect to such children. Such recommendations shall take into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall from time to time make such recommendations as it may deem appropriate to the Commissioner and shall make an annual report of its findings and recommendations to the Commissioner not later than March 31 of each year. The Commissioner shall transmit each such report to the Secretary together with his comments and recommendations, and the Secretary shall transmit such report, comments, and recommendations to the Congress together with any comments or recommendations he may have with respect thereto. *The Advisory Committee shall continue to exist until July 1, 1976.*

* * * * *

(c) *There are authorized to be appropriated for the purposes of this section \$400,000 for the fiscal year ending June 30, 1974, and for each of the two succeeding fiscal years.*

PART B—ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

AUTHORIZATION

SEC. 611. (a) The Commissioner is authorized to make grants pursuant to the provisions of this part for the purpose of assisting the States in the initiation, expansion, and improvement of programs and projects for the education of handicapped children at the preschool, elementary school, and secondary school [levels.] *levels in order to provide full educational opportunity to all handicapped children.*

[(b) For the purpose of making grants under this part there is authorized to be appropriated \$200,000,000 for the fiscal year ending June 30, 1971, \$210,000,000 for the fiscal year ending June 30, 1972, and \$220,000,000 for the fiscal year ending June 30, 1973.]

(b) For the purpose of making grants under this part, there are authorized to be appropriated \$65,000,000 for the fiscal year ending June 30, 1974, \$80,000,000 for the fiscal year ending June 30, 1975, and \$100,000,000 for the fiscal year ending June 30, 1976.

ALLOTMENT OF FUNDS*

SEC. 612. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 611(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among

(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs, and

(B) for each fiscal year ending prior to July 1, 1972, the Secretary of the Interior, according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior and the terms upon which payments for such purposes shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part.

(2) From the total amount appropriated pursuant to section 611(b) for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States, except that no State shall be allotted less than **[\$200,000]** \$300,000¹ or three-tenths of 1 per centum of such amount available for allotment to the States, whichever is greater. For purposes of this paragraph and subsection (b), the term "State" shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(3) Effective after June 30, 1973, no State shall, in any fiscal year, be required to expend amounts allotted pursuant to this section to carry out the provisions of paragraph (1) of section 613(b) unless that State receives an amount greater than the amount allotted to that State for the fiscal year ending June 30, 1973.

(b) The number of children aged three to twenty-one, inclusive, in any State and in all the States shall be determined, for purposes of this section, by the Commissioner on the basis of the most recent satisfactory data available to him.

(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallocation, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount reallocated to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

STATE PLANS

SEC. 613. (a) Any State which desires to receive grants under this part shall submit to the Commissioner through its State educational agency a State plan (not part of any other plan) in such detail as the Commissioner deems necessary. Such State plan shall—

(1) set forth such policies and procedures as will provide satisfactory assurance that funds paid to the State under this part will be expended (A) either directly or through individual, or combinations of, local educational agencies, solely to initiate, expand,

¹ Effective when allotment for part B is \$45,000,000 or more.

or improve programs and projects, including preschool programs and projects, (i) which are designed to meet the special educational and related needs of handicapped children throughout the State, and (ii) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and (B) for the proper and efficient administration of the State plan (including State leadership activities and consultative services), and for planning on the State and local level: *Provided*, That the amount expended for such administration and planning shall not exceed 5 per centum of the amount allotted to the State for any fiscal year or **[\$100,000]** \$200,000.¹ (\$35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater;

(2) provide satisfactory assurance, that to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this part;

(3) provide satisfactory assurance that the control of funds provided under this part, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this part, and that a public agency will administer such funds and property;

(4) set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this part will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local and private funds;

(5) provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children;

(6) provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan;

(7) provide for (A) making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this part, including reports of the objective measurements required by clause (5) of this subsection, and (B) keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports and proper disbursement of Federal funds under this part;

(8) provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this part to the State, including any such funds paid by the State to local educational agencies;

¹ Effective when allotment for part B is \$45,000,000 or more.

(9) provide satisfactory assurance that funds paid to the State under this part shall not be made available for handicapped children eligible for assistance under section 103(a)(5) of title I of the Elementary and Secondary Education Act of 1965;

(10) provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers of, and administrators of programs for, handicapped children significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and

(11) contain a statement of policies and procedures which will be designed to insure that all education programs for the handicapped in the State will be properly coordinated by the persons in charge of special education programs for handicapped children in the State educational agency.

(b)(1) Any State which desires to receive a grant under this part for any fiscal year beginning after June 30, 1975, shall submit to the Commissioner for approval by December 31, 1974, through its State educational agency an amendment to the State plan required under subsection (a), setting forth in detail the policies and procedures which the State will undertake in order to assure that—

(A) all children residing in the State who are handicapped regardless of the severity of their handicap and who are in need of special education and related services are identified, located, and evaluated, including a practical method of determining which children are currently receiving needed special education and related services and which children are not currently receiving needed special education and related services;

(B) the policies and procedures will be established in accordance with detailed criteria prescribed by the Commissioner to protect the confidentiality of such data and information by the State;

(C) there is established (i) a goal of providing full educational opportunity to all handicapped children, (ii) a detailed timetable for accomplishing such a goal, and (iii) a description of the kind and number of facilities, personnel, and services necessary throughout the State to meet such a goal; and

(D) the amendment submitted by the State pursuant to this subsection shall be available to parents and other members of the general public at least thirty days prior to the date of submission of the amendment to the Commissioner.

For the purpose of this part, any amendment to the State plan required by this subsection and approved by the Commissioner shall be considered, after June 30, 1975, as a required portion of the State plan.

(2) The requirement of paragraph (1) of this subsection shall not be effective with respect to any fiscal year in which the aggregate of the amounts allotted to the States for this part for that fiscal year is less than \$45,000,000.

[(b)] *(c) The Commissioner shall approve any State plan which he determines meets the requirements and purposes of this part.*

[(c)] *(d) (1) The Commissioner shall not approve any State plan pursuant to this section for any fiscal year unless the plan has, prior to its submission, been made public as a separate document by the State educational agency and a reasonable opportunity has been given by*

that agency for comment thereon by interested persons (as defined by regulation). The State educational agency shall make public the plan as finally approved. The Commissioner shall not finally disapprove any plan submitted under this section or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

(2) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such State agency, finds—

(A) that the State plan has been so changed that it no longer complies with the provisions of this part, or

(B) that in the administration of the plan there is a failure to comply substantially with any such provision or with any requirements set forth in the application of a local educational agency approved pursuant to such plan,

the Commissioner shall notify the agency that further payments will not be made to the State under this part (or in his discretion, that further payments to the State will be limited to programs or projects under the State plan, or portions thereof, not affected by the failure, or that the State educational agency shall not make further payments under this part to specified local agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to the State under this part (or shall limit payments to programs or projects under, or parts of, the State plan not affected by the failure, or payments by the State educational agency under this part shall be limited to local educational agencies not affected by the failure, as the case may be).

[(d)](e)(1) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under subsection (a) or with his final action under subsection [(c).] (d), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

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PART C—CENTERS AND SERVICES TO MEET SPECIAL NEEDS OF THE HANDICAPPED

* * * * *

AUTHORIZATION OF APPROPRIATIONS

[SEC. 626. There are hereby authorized to be appropriated \$36,500,000 for the fiscal year ending June 30, 1971, \$51,500,000 for the fiscal year ending June 30, 1972, and \$66,500,000 for the fiscal year ending June 30, 1973, for the purpose of carrying out the provisions of this part.]

SEC. 626. For the purpose of carrying out this part, there are authorized to be appropriated \$37,000,000 for the fiscal year ending June 30, 1974, \$53,000,000 for the fiscal year ending June 30, 1975, and \$70,000,000 for the fiscal year ending June 30, 1976.

PART D—TRAINING PERSONNEL FOR THE EDUCATION OF THE HANDICAPPED

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AUTHORIZATION OF APPROPRIATIONS

SEC. 636. There are authorized to be appropriated for carrying out this part, [\$69,500,000 for the fiscal year ending June 30, 1971, \$87,000,000 for the fiscal year ending June 30, 1972, and \$103,500,000 for the fiscal year ending June 30, 1973.] \$40,500,000 for the fiscal year ending June 30, 1974, \$45,500,000 for the fiscal year ending June 30, 1975, and \$50,500,000 for the fiscal year ending June 30, 1976.

PART E—RESEARCH IN THE EDUCATION OF THE HANDICAPPED

* * * * *

AUTHORIZATION OF APPROPRIATIONS

[SEC. 644. There are hereby authorized to be appropriated \$27,000,000 for the fiscal year ending June 30, 1971, \$35,500,000 for the fiscal year ending June 30, 1972, and \$45,000,000 for the fiscal year ending June 30, 1973, for carrying out the provisions of this part.]

SEC. 644. For the purpose of carrying out this part, there are authorized to be appropriated \$10,000,000 for the fiscal year ending June 30, 1974, \$14,000,000 for the fiscal year ending June 30, 1975, and \$18,000,000 for the fiscal year ending June 30, 1976.

PART F—INSTRUCTIONAL MEDIA FOR THE HANDICAPPED

* * * * *

CAPTIONED FILMS AND EDUCATIONAL MEDIA FOR HANDICAPPED PERSONS

SEC. 652. (a) The Commissioner shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for nonprofit purposes to handicapped persons, parents of handicapped persons, and other persons directly involved in activities for the advancement of the handicapped in accordance with regulations.

(b) The Commissioner is authorized (*either directly or by grant or contracts*) to—

(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

(2) acquire by lease or purchase equipment necessary to the administration of this part;

(3) provide for the captioning of films;

(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the handicapped and such other agencies as the Commissioner may deem appropriate to serve as local or regional centers for such distribution;

(5) provide for the conduct of research in the use of educational and training films and other educational media for the handicapped, for the production and distribution of educational and training films and other educational media for the handicapped and the training of persons in the use of such films and media, including the payment to those persons of such stipends (including allowances for travel and other expenses of such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs;

(6) utilize the facilities and services of other governmental agencies; and

(7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

AUTHORIZATION OF APPROPRIATIONS

[SEC. 654. For the purpose of carrying out this part, there are hereby authorized to be appropriated not to exceed \$12,500,000 for the fiscal year ending June 30, 1971, \$15,000,000 for the fiscal year ending June 30, 1972, and \$20,000,000 for the fiscal year ending June 30, 1973, and each succeeding fiscal year thereafter.]

SEC. 654. For the purposes of carrying out this part there are hereby authorized to be appropriated not to exceed \$15,000,000 for the fiscal year ending June 30, 1974, \$18,000,000 for the fiscal year ending June 30, 1975, and \$22,000,000 for the fiscal year ending June 30, 1976, and for each succeeding fiscal year thereafter.

PART G—SPECIAL PROGRAMS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES

* * * * *

(c) For the purpose of making grants and contracts under this section there are hereby authorized to be appropriated **[\$12,000,000 for the fiscal year ending June 30, 1970, \$20,000,000 for the fiscal year ending June 30, 1971, and \$31,000,000 for each of the succeeding fiscal years ending prior to July 1, 1973]** *\$5,000,000 for the fiscal year ending June 30, 1974, \$7,500,000 for the fiscal year ending June 30, 1975, and \$15,000,000 for the fiscal year ending June 30, 1976.*

* * * * *

HIGHER EDUCATION ACT OF 1965

(Education Amendments of 1972 Public Law 92-218)

VETERANS' COST-OF-INSTRUCTION PAYMENTS TO INSTITUTIONS OF
HIGHER EDUCATION

SEC. 420. (a)(1) During the period beginning July 1, 1972 and ending June 30, 1975, each institution of higher education shall be entitled to a payment under, and in accordance with, this section during any fiscal year, if the number of persons who are veterans receiving vocational rehabilitation under chapter 31 of title 38, United States Code, or veterans receiving educational assistance under chapter 34 of such title, and who are in attendance as undergraduate students at such institution during any academic year, equals at least (A) 110 per centum of the number of such recipients who were in attendance at such institution during the preceding academic [year] year, or (B) 10 per centum of the total number of undergraduate students in attendance at such institution during such academic year.

(2) During the period specified in paragraph (1), each institution which has qualified for a payment under this section for any year shall be entitled during the succeeding year, notwithstanding paragraph (1), to a payment under and in accordance with this section, if the number of persons referred to in such paragraph (1) equals at least the number of such persons who were in attendance at such institution during the preceding academic year. Each institution which is entitled to a payment for any fiscal year by reason of the preceding sentence shall be deemed, for the purposes of any such year succeeding the year for which it is so entitled, to have been entitled to a payment under paragraph (1) during the preceding fiscal year.

* * * * *